

COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 17 OCTOBER 2006

Present:- Councillor A R Row – Chairman.
Councillors K R Artus, H D Baker, P Boland, C A Cant, R P Chambers, J F Cheetham, C M Dean, C D Down, S Flack, M L Foley, R F Freeman, M A Gayler, E J Godwin, E Gower, D W Gregory, R T Harris, M A Hibbs, E W Hicks, S C Jones, A J Ketteridge, T P Knight, V J T Lelliott, R M Lemon, J I Loughlin, A Marchant, J E Menell, D J Morson, J P Murphy, V Pedder, M J Savage, S V Schneider, G Sell, F E Silver, A R Thawley, P A Wilcock and A C Yarwood.

Officers in attendance:- A Bovaird, M Brean, C Hughes, P O'Dell, M J Perry and M T Purkiss.

C42 COUNCILLOR C A BAYLEY

The Chairman reported that Councillor C A Bayley had sadly passed away on 5 October 2006. He then asked all those present to stand in silent tribute to her memory.

C43 MEMBERS' QUESTION AND ANSWER SESSION

Councillor Flack asked the Leader and other Councillors to celebrate that Uttlesford was the healthiest place to live in the country and the Uttlesford Primary Care Trust had recently received an excellent rating. She referred to the problems concerning the Thaxted Market and expressed the hope that the Council would do everything possible to ensure that the street traders were able to continue to sell healthy fruit and vegetables. Councillor Gayler said that it was unfortunate that the Uttlesford PCT had been disbanded at a time when it was providing excellent services and said that he would press for the new PCT to provide services to the same high standard. He said that he had discussed the market issue with officers and understood that it was a legal nightmare. He said that whilst the Lord of the Manor had certain rights, he also had obligations and this matter was being looked into further. The Executive Manager (Corporate Governance) confirmed that the legal situation was complex, but legislation did not allow the Council to exercise control where a market had been granted under a charter and this was within the control of the Lord of the Manor.

Councillor Ketteridge said that when he had asked a previous question concerning the new recycling rounds, he was told that the number of staff required would be lower. However, he said that it was apparent that rounds were taking longer to complete and he asked whether staff numbers would be reviewed and whether the costings would still be accurate. Councillor Thawley accepted that it was taking longer to complete the rounds but the operatives were now working a normal working day and he did not think that there was a need to increase staff numbers.

Councillor Knight said that some bins were still being missed and asked for details of the cost of these missed collections. She added that she understood that the emptying of bins at village shops was being discontinued and asked why this decision had been taken. Councillor Thawley apologised for the missed collections and hoped that the problems would soon be resolved as they had been in the south of the district. He undertook to find out more information about the village shop collections and would pass this information on to Councillor Knight. Councillor Gayler said that Southend Council had recently had to pay out £5m for not meeting recycling targets and the decision taken by Uttlesford would avoid such penalties in this area.

Councillor Chambers asked whether the Liberal Democrat Group considered that Council Tax payers were receiving good value for money from having a structure of 9 or 10 executive managers at a cost of over £500,000. Councillor Gayler said that it was necessary to keep the organisation under review and make the best use of talent available to provide best value for money and Members would look at how the Council could build on its strengths.

Councillor Hicks referred to the expenditure which was proposed on skateboard parks in the district and said that this afforded facilities to relatively few people. He felt that a disproportionate amount was being spent on this and considered that the Council should support other sports and added that football clubs in the Dunmow area had been operating with no help from the Council. Councillor Morson said that the proposals for contributions to skateboard parks would enable these facilities to get off the ground and said that it was open for all sports organisations to apply for grants. He said that the Council had provided a sports activity programme in the school holidays in the Dunmow and other areas in the district.

Councillor Savage referred to allegations of councillors operating in other wards and asked group leaders what steps would be taken to prevent councillors impinging on the work of ward councillors. Councillor Gayler said that a number of councillors, including himself, dealt with issues which affected wards other than their own and it was right that they should respond when they were contacted but should talk to the ward member in advance. Councillor Ketteridge added that if councillors were meeting constituents in other wards, they should invite the ward member to any such meeting. Councillor Godwin concluded that when she spoke to residents outside of her ward she would always advise the incumbent ward member.

Councillor Foley asked how much recycled paper the Council used. The Chief Executive said that where recycled paper was available, the Council used 100% recycled paper. However, there were some jobs where recycled paper could not be used and the overall usage of recycled paper was 92%.

C44

APOLOGIES

Apologies for absence were received from Councillors E C Abrahams, A Dean, B M Hughes, M J Miller, E Tealby-Watson and A M Wattebott. The Chairman said that Councillor Tealby-Watson had been unable to attend a

number of recent meetings and he would arrange to have a bouquet of flowers sent to her with the Council's good wishes.

C45 **DECLARATIONS OF INTEREST**

Councillors C Dean, Loughlin, Marchant and Sell declared personal prejudicial interests in the item relating to skateboard parks as they were members of Stansted Mountfitchet Parish Council.

Councillors Gayley, Murphy and Silver declared personal prejudicial interests in the item relating to skateboard parks as they were members of Great Dunmow Town Council.

Councillors Jones and Savage declared interests in the item relating to the Saffron Walden Partnership Board as they were members of the Board.

Councillor Chambers declared an interest as a member of Essex County Council and Chairman of the Essex Police Authority, Councillor Flack declared an interest as the County Councillor for Dunmow and Councillor Foley declared an interest as a member of NWEPPHA.

C46 **MINUTES**

The Minutes of the meeting held on 18 July 2006 were approved as a correct record and signed by the Chairman.

C47 **BUSINESS ARISING**

(i) **Minute C26 – Members' Question and Answer Session (Holloway Crescent)**

Councillor Flack said that at the last meeting, she had raised the issue of the proposed submission of a bid to the Housing Corporation for an extra care scheme at Holloway Crescent. She said that at the time, she was concerned that she had not been advised that a bid was proposed. However, she had now learnt that it had been decided not to submit a bid and she was surprised that no officers had contacted her as ward member to advise her of this. She said that there was a need for ward councillors and residents to be kept informed of such proposals and said that the next real opportunity to bid for capital would not be until October 2007. She concluded that this was totally unacceptable. The Chief Executive said that he would ask the Executive Manager (Housing Services) to provide a full written reply to her.

(ii) **Minute C26 - Members' Question and Answer Session (Audley End House)**

In answer to a question from Councillor Hicks, the Executive Manager (Corporate Governance) said that, in relation to the licence for Audley End House, the papers were with the High Court waiting for a hearing date.

(iii) **Minutes C30 (iii) - Stansted Community Trust**

Councillor Savage asked what progress had been made with BAA's contribution to the noise fund. Councillor Flack said that the Trust had received a cheque for £100,000 in the previous week and a sum of £27,500 from the noise fund. Grants of approximately £62,000 had been awarded.

(iv) **Minute C30 (v) – Forward Work Programme**

The Chief Executive said that, along with other district councils, representations had been made to the County Council who had agreed to change the date of their Council Tax meeting so that it was now in advance of this Council's meeting.

C48 **CHAIRMAN'S COMMUNICATIONS**

The Chairman reminded Members that the Fashion Show would be held on Thursday 19 October to help raise funds for the Alzheimer's Society and he asked Members to support this. Councillor Chambers said that he could not attend, but would give a donation and encourage other Members to do the same.

The Chairman also reported that a quiz night would be held on Friday 17 November 2006 and tickets were available from the Members' Assistant.

C49 **LEADER'S COMMUNICATIONS**

The Leader said that this week was Local Democracy Week and some Members would be going into schools to help raise the profile of local democracy.

He paid tribute to the work of Councillor Bayley and said that she would be a great loss to the Council. He added that one of her roles was as Equalities Champion and Councillor Hughes had agreed to take responsibility for this.

The Leader also advised that Councillor Pedder would be appointed to the IT Working Party to fill the vacancy caused by the death of former Councillor Bowker.

C50 **MATTERS ARISING FROM COMMITTEES**

(i) **Operations Committee – 28 September 2006 – Fuel Pumps at Depots**

Members were advised that the Operations Committee at its meeting on 28 September 2006 had considered a recommendation from the Environment Committee concerning the need to replace fuel pumps at the Shire Hill, Saffron Walden and Dunmow Depots.

RESOLVED that provision of £15,000 in the Council's Capital Programme for the current financial year be approved to replace fuel pumps and to install a fuel monitoring system at the Council's two depots.

(ii) Operations Committee – 28 September 2006 – Great Dunmow and Stansted Skateboard Parks

Councillor C Dean, Gayler, Loughlin, Marchant, Murphy, Sell and Silver, having declared prejudicial interests, left the meeting during the consideration of this item.

Members were advised that the Operations Committee at its meeting on 28 September 2006 had considered requests from the Community Committee for contributions to be made to these two skateboard parks.

In the case of the Great Dunmow Skateboard Park, the Community Committee had recommended that a contribution of up to £30,000 be made available to help provide replacement equipment. The Community Committee had also recommended that a contribution of £20,000 be made to the Stansted Skateboard Park to enable additional equipment to be purchased.

Councillor Jones suggested that a total sum of £40,000 should be allocated to the Community Committee and that that Committee should decide on the allocation to each of the two schemes.

Councillor Knight questioned whether both schemes met the criteria completely. Councillor Morson said that the schemes met the criteria which had been agreed by the Committee including partnership funding. Councillor Harris said that he was pleased to see enterprise being rewarded and was amazed by the amount of money which had been raised by the organisers of the Saffron Walden Skateboard Project. He said that he supported a grant towards that scheme and also supported other schemes such as Dunmow and Stansted. However, he said that the provision of grants must be dealt with fairly and equitably and the amount raised by organisers must be taken into account. He asked that the Community Committee should look carefully at these applications and take account of this.

Councillor Flack commented that the Council had opted for a streamlined committee system but this item had now gone to two policy committees, area panels and was now being discussed at Full Council and she suggested that this was not a good use of Councillors' time.

Councillor Wilcock referred to the "ladder of participation" and stressed the importance of encouraging young people to take ownership of projects. He said that it appeared on paper that the Dunmow scheme did not have the same level of participation as the other schemes. Councillor Ketteridge said that he was still concerned that in the current financial year the Council had approved over £120,000 of unbudgeted expenditure. He said that the Council would be in a difficult position if further applications were received which met the criteria.

Councillor Jones said that many parish councils did not have the expertise nor were given the help to make applications for funding and he suggested that the Grants Officer should speak to the organisers of the Saffron Walden Skateboard Park so that a presentation could be given to help others attract funding.

Councillor Cheetham said that the Stansted application was well presented, but she still had concerns over the Dunmow application. She asked for an assurance that further evidence would be provided to show that this application met the criteria before any funds were released. Councillor Godwin said that she hoped that skateboarding would be an Olympic sport in 2012 as this district seemed to be over subscribed with these facilities. She urged that Members should look at sport and youth provision as an overall issue.

Councillor Morson said that he understood Members would like to see greater participation from the organisations involved, but suggested that the Council should not penalise young people who did not have access to fundraising expertise. He said that it was right that the applications had gone to area panels as this enabled local input to be taken into account. Whilst he accepted that there were a number of skateboard park applications at present, the Council was responding to what young people had asked for.

RESOLVED that a sum of £40,000 in total from the capital programme be allocated to the Community Committee and that Committee be authorised to determine the level of grant to the Dunmow and Stansted Skateboard Park Schemes.

(iii) North Area Panel – 12 September 2006 – Community Project Grants

Members were informed that at the North Area Panel, it had been noted that, in relation to community project grants, all available grant types were oversubscribed with applications. The North Area Panel had requested the Council to increase each Panel's allocation of funds for grants by £10,000.

Councillor Gayler said that this matter could not be considered in isolation and should be considered as part of the budget setting process.

Councillor Schneider said that the Council was the trustee of the Pig Market Trust and said that the contributions from this should be allocated to the North Area Panel over and above the grant allocation. She said that she had been concerned for sometime that this money was going into the central fund and said that it should go to Saffron Walden and the surrounding area in accordance with the wishes of the Trust. In response to a question from Councillor Gregory, it was confirmed that the amount contributed by the Trust was £24,000 per annum.

Councillor Flack asked if the Council could advise all councillors of the availability of community project grants so that they could advise their parishes. Councillor Cheetham said that the amount allocated to the South West Area Panel was not sufficient to cover 17 parishes and said that a review was needed.

The Chief Executive said that at the last Council meeting (Minute C38), it had been agreed that the role of area panels and a review of budgets devolved to them, would be given further consideration and he said that this would address many of the concerns raised by Members at this meeting.

Councillor Gayler said that whilst it was appropriate that the money was dealt with in accordance with the intentions of the Pig Market Trust, he did not feel it appropriate for this money to go just to Saffron Walden. Councillor Godwin said that it would be inequitable if the full amount went to the North Area Panel.

However, Councillor Ketteridge said that the Saffron Walden Town Council originally had the trusteeship of the charity which was later transferred to the District Council and he confirmed that the intention was that it was for the benefit of the old Borough of Saffron Walden and its environs. Councillor Cheetham said that the legal situation needed to be clarified before any decision was taken and Councillor Hibbs agreed that a detailed report would be required.

Councillor Schneider then withdrew an amendment regarding the Pig Market Trust on the understanding that a further report would be submitted.

It was then

RESOLVED that the proposal from the North Area Panel be looked at as part of the budget setting process and that officers submit a further detailed report on the Pig Market Trust.

(iv) **Licensing Committee – 13 September 2006 – Tables and Chairs on Pavements**

Members considered a report from the Licensing Committee concerning the provisions empowering the District and County Councils to permit the placing of tables and chairs on pavements for use by persons consuming food and drink purchased from adjoining premises. Councillor Loughlin said that if a policy were adopted, whilst it would be open to an applicant to justify departing from policy, there would be a degree of consistency in dealing with applications.

Councillor Cheetham said that there needed to be the same criteria in place across the whole District and Councillor Ketteridge urged caution as it could become problematic if the situation was dealt with differently in different areas. He said that town and parish councils should be involved in the consultation process. Councillor Flack concluded that it was essential that at the start of the process to decide which individuals and organisations would be consulted on proposals.

RESOLVED that

- 1 the power to grant permissions under part VII (A) of the Highways Act 1980 and to fix the fees in respect thereof be delegated to the Licensing Committee;

- 2 the Environmental Health and Development Control departments be requested to advise on potential policy and draft condition considerations.

C51

PROPOSED CONSTITUTIONAL ARRANGEMENTS FOR THE SAFFRON WALDEN PARTNERSHIP BOARD

Members were reminded that the Saffron Walden Partnership Board had been established in 2005 to deliver the Saffron Walden Health Check Action Plan. It was made up of representatives of Uttlesford District Council, Saffron Walden Town Council, Essex County Council and the Saffron Walden Initiative. It was reported that it was currently an unconstituted body and this presented a number of difficulties when it came to raising funds, entering into contracts and managing money.

The Board therefore wished to become a company limited by guarantee to enable it to more effectively deliver the projects identified in the action plan. As the District Council was a representative body on the Board, it was necessary for the Board to have the approval of Full Council before becoming a company limited by guarantee.

The Executive Manager (Corporate Governance) said that the legal implications referred to in the report should include reference to corporate membership and state that any liability would be £100.

Councillor Savage said that he represented the Council on the Board and there were many advantages and few disadvantages in forming a company limited by guarantee in this case. Councillor Jones clarified the membership of the Board and said that all partners had to agree to the proposal before it could proceed.

RESOLVED that the formation of a company limited by guarantee to enable the Saffron Walden Partnership Board to more effectively deliver the projects identified in the Saffron Walden Health Check Action Plan be approved.

C52

WEB CASTING

Following the recent success of web casting of Development Control meetings associated with the Stansted Airport planning application, Members were asked to consider whether they wished to web cast selected future meetings. Details of the financial and other resource implications were reported and as there was currently no budget for web casting beyond the Stansted planning meetings, this would need to be added as a spending pressure for the 2007/08 budget cycle if agreed.

Councillor Hibbs said that, whilst the Council had signed the Nottingham Declaration, he had noted that in the reports submitted at this meeting there had been no reference to sustainability in the impact assessments. He requested that sustainability should be addressed in future reports.

Councillor Godwin said that if the proposal to web cast meetings was agreed, the Council should be circumspect in determining what meetings were web casted and Councillor Sell said that whilst it had been useful for the Stansted application, it should only be used for selected meetings. Councillor Foley said that spending on web casting was not a priority and Members should not spend too much time discussing this.

Councillor Gregory suggested that those Members who were going to schools as part of Local Democracy Week, should ask the children if they would be interested in watching web casts of Council meetings. Councillor Ketteridge said that soundings should be taken from residents to see whether this service was really wanted.

Councillor Gayler said that the local community would be consulted as part of the budget process. Councillor Cheetham concluded that the Stansted application was exceptional and further use of web casting needed much more research.

RESOLVED that consideration of further use of web casting be included in the consultation as part of the budget making process before any decision was made.

C53

APPOINTMENT TO OUTSIDE BODY

The Democratic Services Manager reported that the Council had been asked to appoint a representative on the Board of Governors of Dame Johane Bradbury's School, Saffron Walden.

He said that whilst the representative did not necessarily have to be a councillor, the representative should have an interest in the school and be able to attend governor meetings which were held in the evenings on two occasions each term. The Bursar had advised that Gerald Ellison, the Bursar of the Perse School, Cambridge, had attended recent meetings and could fill the District Council's vacancy if no councillor wished to take up the appointment.

RESOLVED that Gerald Ellison be appointed as the Council's representative on the Board of Governors of Dame Johane Bradbury's School for a period of three years.

C54

LOCAL GOVERNMENT ASSOCIATION

The Democratic Services Manager reported that Councillor Godwin had been invited to be one of the seven independent members on the LGA Strategy and Finance Forum. He said that under the Members' Allowance Scheme, travel expenses would only normally be payable where a Member was appointed as a representative of the Council. There was nothing else in the scheme which would permit payment and Members were therefore asked to confirm the appointment.

RESOLVED that the appointment of Councillor Godwin to the LGA Strategy and Finance Forum be authorised and confirmed as eligible for payment of travel expenses.

C55

BEIRUT EMERGENCY

The Chief Executive submitted a report setting out the action taken by the Council in response to Operation Highbrow – The Evacuation of British Nationals from Lebanon in July 2006. He said that he wished to place on record his appreciation of the work carried out by Council staff during the weekend of the evacuation and for the ongoing work of housing officers. He said that he was also grateful for the support of Members, some of whom had evacuees housed in their wards. He confirmed that the cost of £42,000 set out in the report related solely to the response over the weekend of the evacuation. Councillor Gayler said that the refugees had gone through a terrible time and he was proud of the support which had been given by the Council staff. He was also pleased that the evacuees had been welcomed into the community. However, the Government had failed to meet its obligations and he said that the Council should liaise with local authorities in situations similar to Uttlesford and involve local MP's to put pressure on the Government to refund this money.

Councillor Godwin said that she was proud that Uttlesford had supported these people. However, the Government was instrumental in bringing them to the UK and must meet its obligations. She said that, with Stansted Airport in the District, the situation could happen many times over. Councillor Flack said that Councillor Yarwood had been asked to chair a panel to review how the response had gone. She pointed out that Uttlesford had to house 64 people without belongings and there had been some problems in liaison with other partners and all these issues would be looked at by the panel.

Councillor Hibbs also expressed his thanks to officers particularly in the Housing Section and to those local authorities which had stepped in to provide housing. He suggested that those authorities should be asked to join this Council in making representations to the Government. Councillor Cheetham added that the Local Government Association should also be asked to assist in this matter.

Councillor Sell said that the issue should be addressed through political channels both in the House of Commons and the House of Lords and said that Bill Rammell, MP for Harlow, should be asked to assist in this matter.

Councillor Ketteridge said that Uttlesford was noted for its generosity in charitable giving but said that the Government was demanding a charitable contribution from Council Tax payers where they had no choice in the matter.

In response to a question from Councillor Freeman, the Chief Executive said that it was not policy for evacuees to be diverted to Stansted and said that during the Lebanon situation, some had gone to Gatwick, Manchester and East Midlands Airports.

Councillor Knight concluded that the problems with the evacuees were of the Government's making and local authorities should unite and make it a national issue.

RESOLVED that the Council in liaison with other authorities, local parliamentarians and the Local Government Association continue to put pressure on the Government to reimburse the money which the Council had spent in this evacuation.

C56 **MEMBER WORKSHOPS**

The Chief Executive said that he would advise Members of the details of forthcoming workshops by e-mail.

C57 **NOTICES OF MOTION**

(i) **Leave**

Members considered the following Notice of Motion proposed by Councillor Savage and seconded by Councillor Hibbs:-

- "1 We call for an immediate increase in the annual paid leave entitlement to Members of the territorial forces from five to ten days.
- 2 We ask that a report be brought to the Operations Committee on the operation of the Council's policies regarding leave for civic and voluntary service and ways in which that operation might be improved".

Councillor Savage thanked the Executive Manager (Human Resources) for her advice in the preparation of the Motion. He said that the Council's policy was over five years old and needed to be reviewed. He said that the Territorial Army (TA) made up one third of the British Army and 45% of them had been mobilised into active service. He said that members of the TA had to attend annual training camp for a period of two weeks and the Council currently paid five days leave for this and he claimed that most other authorities in Essex paid ten days.

The Executive Manager (Human Resources) said that the Council was not lagging behind others in what it provided under the Green Book. She said that the public duties referred to in the Green Book did not include the Territorial Army. She said that the TA paid members for attending annual training and some of those authorities which gave ten days leave claimed some of the money back from employees.

Councillor Ketteridge said that the Council had always supported volunteers but unpaid voluntary work was different from the TA where financial payments were made. Councillor Flack agreed with Councillor Cheetham and added that she did not feel it appropriate for a councillor to discuss terms and conditions of service with a member of staff. However, Councillor Savage said that there were three members of the TA employed by the Council and one of these was a constituent of his.

There was general consensus that more information was needed before a decision was taken and it was

RESOLVED that a detailed report be submitted to the Operations Committee setting out all relevant information so that a recommendation could be made to Council.

(ii) **Concessionary Fares**

Members considered the following Notice of Motion proposed by Councillor Gregory and duly seconded:-

- “1 Uttlesford District Council welcomes the introduction of free ‘off peak’ travel passes for older and disabled people in Uttlesford and is pleased that, in co-operation with other Essex councils it has been possible for these passes to be made valid throughout the county rather than the minimum legal option of travel within Uttlesford only.
- 2 The Council resolves to implement the relevant recommendations contained in the Department of Transport guidance document “Concessionary Fares for older and disabled people; Local Authority Guidance” on this topic.
- 3 The Council will ensure that the scheme is fully publicised to all households in the District in time for applications to be processed and passes issued by 1 April each year. This will be done through information distributed with the Council Tax Demand and/or through the Uttlesford Life Magazine”.

Councillor Gregory introduced the Notice of Motion and asked that the word travel in the second line be amended to read bus and the seconder agreed to this. He said that the proposal had evolved from the Transport Forum and was intended to make the scheme more effective and widely known.

Councillor Cheetham said that she supported the Notice of Motion and asked that it be amended by the addition of the following paragraph:-

- “4 Representations be made to the Government to make adequate funds available to enable the scheme to be operated effectively and efficiently”.

The mover and seconder of the Motion agreed to this addition and it was

RESOLVED that the Motion, as amended, be approved.

The meeting ended at 9.50 pm.